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CENTRAL FAX CENTER

JUN 28 2007

PATENT  
Customer Number 34,986  
Attorney Docket No. 01064.0011-14-000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Richard LEVY

Serial No.: 10/781,240

Filed: February 18, 2004

For: LUBRICANT COMPOSITIONS  
AND METHODS

Group Art Unit: 1764

Examiner: Ellen M. McAvoy

Commissioner for Patents  
P. O. Box 1450  
Alexandria Virginia 22313-1450.

Sir:

TERMINAL DISCLAIMER

Assignee, Lee County Mosquito Control District, duly organized under the laws of Florida and having its principal place of business at 15191 Homestead Road, Lehigh, Florida, 33971, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, in the name of Richard Levy, by assignment of the parent applications duly recorded in the United States Patent and Trademark Office at Reel 7895, Frame 0372 on March 27, 1996.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, of any patent that may issue on co-pending United States Patent application

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Serial No. 10/733,419 as well as co-pending United States Patent application Serial No. 08/943,125 [the "applications" which term is used herein as inclusive of Serial No. 10/733,419 and/or Serial No. 08/943,125]. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent that may issue on such co-pending applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent that may issue on such co-pending applications in the event that any patent that may issue on such co-pending applications later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

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In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), applicant pays the required fee of \$65.00 (small entity) by means of PTO Form 2038 filed with this disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,

THE LAW OFFICES OF ROBERT J. EICHELBURG

Dated June 28, 2007

By: /Robert J. Eichelburg, Reg. No. 23,057/  
Robert J. Eichelburg

**CERTIFICATE OF FACSIMILE TRANSMISSION PURSUANT TO 37 C.F.R. § 1.6 (d)**

I hereby certify that I am transmitting this correspondence and Form PTO 2038 for the payment of the statutory disclaimer fee of \$65.00 (small entity) to the United States Patent and Trademark Office pursuant to 37 C.F.R. § 1.6 (d) at their central FAX number (571) 273-8300 on the date indicated below.

Dated June 28, 2007

By: /Robert J. Eichelburg, Reg. No. 23,057/  
Robert J. Eichelburg